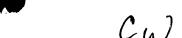


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,745	01/07/2002	John S. Kresge	END919970075US3	4111
7.	590 06/23/2003			
IBM Corporation / IP Law N50/040-4			EXAMINER	
1701 North Street, NY			NGUYEN, DONGHAI D	
			ART UNIT	PAPER NUMBER
			3729	<u>O</u>
			DATE MAILED: 06/23/2003	7

Please find below and/or attached an Office communication concerning this application or proceeding.



Application No.	Applicant(s)	- 0
10/040,745	KRESGE ET AL.	
Examiner	Art Unit	
Donghai D. Nguyen	3729	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

final recondit	fore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a ejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in ion for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued ination (RCE) in compliance with 37 CFR 1.114.
LXaiii	PERIOD FOR REPLY [check either a) or b)]
a) [	
b) 🖸	The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).
have be 37 CFR (b) abov	rensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee en filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in the end of the final rejection, even if timely filed, may reduce any postent term adjustment. See 37 CFR 1.704(b).
1.	A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2.	The proposed amendment(s) will not be entered because:
(a)	they raise new issues that would require further consideration and/or search (see NOTE below);
(b)	they raise the issue of new matter (see Note below);
(c)	they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d)	they present additional claims without canceling a corresponding number of finally rejected claims.
	NOTE:
3.	Applicant's reply has overcome the following rejection(s):
4.	Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5.⊠	The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See continuation sheet.
6.	The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7.🛛	For purposes of Appeal, the proposed amendment(s) a)  will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
	The status of the claim(s) is (or will be) as follows:
	Claim(s) allowed: None.
	Claim(s) objected to: None.
	Claim(s) rejected: 80-97.
	Claim(s) withdrawn from consideration:
8.	The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.
9.	Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)
10.	Other:
	PETER VO SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700

U.S. Patent and Trademark Office PTO-303 (Rev. 04-01)

**Advisory Action** 

Part of Paper No. 9

## Continuation of 2.

Note: Applicants argue that the prior art fails to disclose the claimed invention. However, Applicants do not claim the exact of dimension and material "selected thickness and coefficient of thermal expansion" of the thermally conductive layer in the claims. In addition Peterson et al. disclose the thermally conductive layer can be optimized by proper choice of material and geometries to a achieve the ideal performance of thermally conductive layer in CTE, thermal, weight and electrical property (Col. 2, lines 40-53) that would imply the selection of desired material and proper dimension including thickness and coeffecient of thermal expansion of the thermally conductive layer. Furthermore, Applicants as admitted on pages 15 and 16 of Amendment C that the stress that place on the solder connection is greatly reduced and as shown in Fig. 1 the solder connection (103/104) without any failure and col. 2, lines 40-45 discloses thermally conductive layer is used with surface mounting device for ideal performance.